

## REMARKS

Claims 54, 55 and 57-77 are pending. Claims 36-52 have been cancelled. Claims 54 and 55 have been amended. New claims 59-77 have been added. Support for the amendments and new claims can be found throughout the application as originally filed. No new matter has been added.

### Rejection Under 35 U.S.C. §112, first paragraph

Claims 36-52, 54, 55, 57 and 58 are rejected under 35 U.S.C. §112, first paragraph as allegedly lacking enablement. The Office alleges that

The skilled artisan would be unable to practice the current method in the broad scope as claimed, because the present claims encompass using humanized antibodies comprising partial antigen binding regions that are insufficient to confer binding specificity for CCR2. The present claims do not require that the humanized immunoglobulin used in the current method must comprise a complete antigen binding region, which typically consists of six complementary determining regions or a complete variable heavy and variable light chain. Additionally, the antibodies of the present invention encompass undefined derivatives.

The Office further states “that the specification does not define the term “derived” and thus under broadest reasonable interpretation the term “derived” encompasses antibody and CDR fragments that originate from any part of the 1D9 antibody.”

Claims 36-52 have been cancelled and the remaining claims have been amended to recite that the immunoglobulin has *three* complementarity determining regions from the light chain *of* murine monoclonal antibody 1D9 *and three* complementarity determining regions from the heavy chain *of* murine monoclonal antibody 1D9. These changes to the claims obviate this rejection. Therefore, Applicants respectfully request that this rejection be withdrawn.

Applicant : LaRosa et al.  
Serial No. : 10/766,773  
Filed : January 27, 2004  
Page : 7 of 7

Attorney's Docket No.: 10448-217002 / MPI98-  
129CP2RCEDV1

Enclosed is a check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 12/12/07



Laurie Butler Lawrence  
Reg. No. 46,593

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906